

Amendment No. 1 to HB1064

Vaughan
Signature of Sponsor

AMEND Senate Bill No. 803*

House Bill No. 1064

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 40, Chapter 29, Part 1, is amended by adding the following as a new section:

(a) In any proceeding on a claim against a landlord for negligence in renting, leasing, or otherwise extending housing opportunities to a person who has been previously convicted of a criminal offense, a landlord is not liable based solely upon the fact that the person has been previously convicted of a criminal offense.

(b) In a cause of action against a landlord for negligence in renting, leasing, or otherwise extending housing opportunities to a person who has been previously convicted of a criminal offense, evidence that the person has been previously convicted of a criminal offense is not admissible.

(c) Subsections (a) and (b) do not apply when:

(1) The landlord had actual knowledge of the person's prior conviction for a violent offense, as defined in § 40-35-120(b) or a violent sexual offense, as defined in § 40-39-202; or

(2) The landlord, having actual knowledge of the person's commission of a violent offense, as defined in § 40-35-120(b), or a violent sexual offense, as defined in § 40-39-202, after beginning of the person's tenancy, was willful in allowing the person to continue to rent, lease, or otherwise use housing opportunities.

(d) This section does not create a cause of action or expand an existing cause of action.

(e) The provisions of § 1-3-119 relative to implied rights of action apply to this section.

(f) As used in this section, "landlord" means the owner, lessor, or sublessor of the dwelling unit or the building of which the unit is a part, the manager of the premises, and employees and agents of the owner, lessor, or sublessor.

SECTION 2. This act takes effect July 1, 2021, the public welfare requiring it.